THE HONORABLE JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WILD FISH CONSERVANCY,

Plaintiff,

v.

WASHINGTON DEPARTMENT OF FISH & WILDLIFE, ET AL,

Defendants.

Case No. 2:21-cv-00169-JNW

MOTION TO INTERVENE FOR LIMITED PURPOSE OF FILING MOTION TO DISMISS

NOTE ON MOTION CALENDAR FOR:
MAY 12, 2023 Oral Argument Requested

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MOTION TO INTERVENE FOR LIMITED PURPOSE OF FILING MOTION TO DISMISS PURSUANT TO FRCP 12(b)(7) and 19

Expressly reserving its sovereign immunity, the Lummi Indians of The Lummi Reservation of Washington ("Tribe" or "Lummi"), pursuant to Federal Rule of Civil Procedure ("FRCP") 24(a)(2), move for leave to intervene for the sole and limited purpose of establishing that this case cannot proceed in the Tribe's absence by filing a motion to dismiss pursuant to FRCP 12(b)(7) and 19. The Tribe is entitled to intervene as of right because it claims an interest relating to fish resources of Puget Sound, which are the subject of this action. [1] Plaintiffs seek to prohibit the Washington Department of Fish & Wildlife ("WDFW") from funding or allowing fish hatchery releases of over 17 million salmon. Such relief would, as a practical matter, directly eliminate fish that are necessary to fulfill the off-reservation fishing rights reserved to the Tribe by treaty and other federal law. The Tribe may not be joined because the Tribe has sovereign immunity, which it has not and does not waive here. Federal courts regularly grant motions for limited intervention under FRCP 24(a) to allow absent and immune sovereign parties, such as Indian tribes, states, or foreign countries, to move to dismiss under FRCP 12(b)(7). This motion is based on the court file, the accompanying memorandum, and the Declarations of Dana Wilson and Thomas Chance.

[1] The Tribe will also seek dismissal on grounds that the action cannot proceed in the absence of other tribes who are parties to *United States v. Washington*, W.D. Wash. No. 70-9213 or *United States v. Oregon*, D. Or. Nos. 68409, 68513, each of whom is a required party.

MEMORANDUM IN SUPPORT

I. INTRODUCTION

Lummi has treaty fishing rights and adjudicated usual and accustomed fishing areas in the river drainages and in the marine waters of Northern Puget Sound. *United States v. Washington*, 384 F. Supp. 312, 360-63 (W.D. Wash. 1974), *aff'd*, 520 F.2d 676 (9th Cir. 1975), *cert denied*, 443 U.S. 658 (1979). Since time immemorial, Lummi and its members have relied on the fish that originate in or pass through the Tribe's usual and accustomed places. The Tribe also co-manages and has a shared interest in the hatcheries subject to this case.

Plaintiffs seek injunctive relief that would effectively prohibit WDFW from operating or funding thirteen hatcheries which, they allege, lack final Hatchery and Genetics Management Plans (HGMPs) approved by the National Marine Fisheries Service (NMFS), and one hatchery which, they allege, has not been operated in compliance with the approved HGMP. However, these issues cannot be reached in the absence of necessary parties. *E.g.*, *Deschutes River All. v. Portland Gen. Elec. Co.*, 1 F.4th 1153, 1156 (9th Cir. 2021) (because of dismissal under Rule 19 the court does not reach the question whether PGE and the Tribe violated the Clean Water Act).

The Tribe satisfies all required elements for intervention of right under FRCP 24(a)(2). The Tribe's motion to intervene is timely. The Tribe has a significant protectable interest relating to the property or transaction that is the subject of the action. There is a direct relationship between the Tribe's legally protected rights (its treaty rights) and the Plaintiffs' claims (which seek to prevent production and release of the fish the Tribe relies upon). Long ago, the federal courts ruled that hatchery-produced fish are included within the Tribe's treaty fishing rights. *E.g.*, *United States v. Washington*, 759 F.2d 1353 (9th Cir. 1985) (en banc). (*See also* Declaration of Thomas Chance ("Chance Decl.") ¶¶ 5-7; Declaration of Dana Wilson ("Wilson Decl.") ¶ 6.) An order enjoining WDFW from operating or funding hatcheries would directly prevent fulfillment of the Tribe's treaty rights. No existing party can adequately represent the Tribe's interests. The Tribe should be granted intervention to allow it to file its motion to dismiss pursuant to FRCP 12(b)(7) and 19.

II. FACTUAL BACKGROUND

A. The Lummi Tribe of Washington Retains Treaty Rights to Take Fish Within Their Usual and Accustomed Places to Support a Moderate Livelihood.

The 1855 Treaty of Point Elliott declares: "[t]he right of taking fish at usual and accustomed grounds and stations is further secured to said Indians in common with all citizens of the Territory." 12 Stat. 927, Article 5. In 1974, Judge Boldt ruled that Indian tribes are entitled to off-reservation treaty fishing rights as political successors to tribes that signed treaties including the Treaty of Point Elliott. *United States v. Washington*, 384 F. Supp. at 406. Preservation of traditional tribal fishing was an express purpose of the treaties. *See Washington v. Wash. State Com. Passenger Fishing Vessel Ass'n*, 443 U.S. 658 (1979) ("*Fishing Vessel*").

B. The Lummi Tribe of Washington Retains a Treaty Right to Take Hatchery-Produced Fish and to Co-manage such Fish.

The district court in *United States v. Washington*, 506 F. Supp. 187 (W.D. Wash. 1980), *aff'd in part, rev'd in part*, 694 F.2d 1374 (9th Cir. 1982), determined that the treaties' intent to guarantee the Tribes an "adequate supply of fish" went "far toward resolving the hatchery issue" in the Tribes' favor. *Id.* at 197. As the Ninth Circuit affirmed:

> [T]he district court properly concluded that *Fishing Vessel's* holding that the Tribes are entitled under the treaty to an "adequate supply of fish" supports the inclusion of hatchery fish in the allocation. . . . *Fishing Vessel* mandates an allocation of 50 percent of the fish to the Indians, subject to downward revision if moderate living needs can be met with less. The Tribes have a right to at most one-half of the harvestable fish in the case area. This limitation on the amount of fish allocable to the Tribes highlights the need to permit them to share equitably in the hatchery fish.

United States v. Washington, 759 F.2d at 1358-59 (citation omitted). The Ninth Circuit explained further:

> The hatchery programs have served a mitigating function since their inception in 1895. They are designed essentially to replace natural fish lost to non-Indian degradation of the habitat and commercialization of the fishing industry. Under these circumstances, it is only just to consider such replacement fish as subject to treaty allocation. For the Tribes to bear the full burden of the decline caused by their non-Indian neighbors without sharing the replacement achieved through the hatcheries, would be an inequity and inconsistent with the Treaty.

*Id.*at 1360 (citations omitted).

For decades, the State and Tribes have complied with court orders in *United States v. Washington* that require the parties to co-manage hatchery fish resources. *E.g.*, Puget Sound Salmon Management Plan Section 4, *United States v. Washington*, 18 F. Supp. 3d 1082, 1090 (W.D. Wash. 1985) (no modifications to the hatchery brood program without prior agreement of the affected parties); the "Mass Marking order", *United States v. Washington*, 19 F. Supp. 3d 1252, 1257 (W.D. Wash. 1997) (before taking any fisheries management action which would affect another party's fisheries parties shall notify each affected party and follow agreed procedures).

The Tribe's fishing rights entitle it to more than just the presence of salmon in the river, but rather to sustainable harvestable quantities. *United States v. Washington*, 853 F.3d 946, 958, 965-66 (9th Cir. 2017), *aff'd per curiam*, 138 S. Ct. 1832 (2018). As explained in Chance Declaration paragraph 13, Lummi hatcheries engage in sustainable management practices.

C. WDFW's Operation of the Puget Sound Hatcheries Averts Significant Harm to the Tribe's Fishing Rights.

Plaintiff's Second Amended Complaint in paragraph 68 targets the following Puget Sound hatcheries, watersheds, and fish releases:

Puget Sound Hatchery Programs			
Program Name	**Watershed Name**	**Species**	**Program Size**
Whatcom Creek	Whatcom Creek	Fall Chinook	500,000
Hupp Springs	Minter Creek	Spring Chinook	500,000
Kendall Creek (NF Nooksack)	Kendall Creek, Middle Fork Nooksack, North Fork Nooksack	Spring Chinook	1,300,000
Samish	Samish River	Fall Chinook	7,000,000
Chambers Creek	Chambers Creek	Fall Chinook	950,000
George Adams	Purdy Creek	Fall Chinook	3,600,000
Tumwater Falls	Capitol Lake	Fall Chinook	3,800,000

(SAC ¶ 68, ECF No. 49.)

Plaintiff alleges "non-compliance" with the ESA based on natural-origin salmonid genetic adaption to captivity in a single generation. (Chance Decl. ¶ 15.) Although evolutionary adaptation to environments may occur over time, such adaptation cannot occur in a single generation. Chinook are also key to recovery of the Southern Resident Killer Whales (SRKW). (Wilson Decl. ¶ 11.) The ongoing hatchery releases of over 17 million salmon annually are intended specifically to aid the SRKW. (Chance Decl. ¶¶ 8, 11, 12, 13 & 14(c).)

III. ARGUMENT AND AUTHORITY

A. Legal Standard for Intervention of Right Pursuant to FRCP 24(a)(2).

The Ninth Circuit has adopted a four-part test for determining whether an applicant can intervene as of right pursuant to FRCP 24(a)(2):

(1) the application for intervention must be timely;

(2) the applicant must have a significantly protectable interest relating to the property or transaction that is the subject of the action;

(3) the applicant must be so situated that disposition of the action may, as a practical matter, impair or impede the applicant's ability to protect that interest; and

(4) the applicant's interest must not be adequately represented by existing parties to the action. *Wilderness Soc'y v. U.S. Forest Serv.*, 630 F.3d 1173, 1177 (9th Cir. 2011) (en banc). The Ninth Circuit interprets and applies the rule broadly in favor of intervention. *Citizens for Balanced Use v. Mont. Wilderness Ass'n*, 647 F.3d 893, 897 (9th Cir. 2011); *Sw. Ctr. for Biological Diversity v. Berg*, 268 F.3d 810, 818 (9th Cir. 2001).

Federal courts regularly grant motions for limited intervention under FRCP 24(a) to allow sovereign governments, including Indian tribes, to appear for the sole purpose of filing a motion to dismiss pursuant to FRCP 12(b)(7) and 19. *See, e.g.*, *Klamath Irrigation Dist. v. U.S. Bureau of Reclamation*, 48 F.4th 934, 945 n.2 (9th Cir. 2022) (intervention where claimed state water right threatened tribes' senior right to water for fishing); *Backcountry Against Dumps v. Bureau of Indian Affairs*, No. 21-55869, 2022 U.S. App. LEXIS 29947 (9th Cir. Oct. 27, 2022) (intervention where claimed environmental violations threatened tribal lease and investment);

Dine Citizens Against Ruining Our Env't v. Bureau of Indian Affairs, 932 F.3d 843 (9th Cir. 2019) ("*DCAR*") (district court granted tribal entity's limited motion to intervene for purposes of filing motion to dismiss on FRCP 19 grounds); *United Keetoowah Band of Cherokee Indians of Okla. v. United States*, 480 F.3d 1318, 1323 (Fed. Cir. 2007) (lower court granted tribe's motion for limited intervention pursuant to FRCP 24(a)(2) to seek dismissal pursuant to FRCP 19); *Lac Du Flambeau Band of Lake Superior Chippewa Indians v. Norton*, 422 F.3d 490, 495 (7th Cir. 2005) (district court granted tribe's motion for limited intervention for purpose of seeking dismissal); *Maverick Gaming LLC v. United States*, No. 3:22-cv-05325-DGE, 2023 U.S. Dist. LEXIS 28654, at *18 (W.D. Wash. Feb. 21, 2023) ("It is well established in this Circuit that tribes may intervene for the limited purpose of asserting they are required parties without waiving their sovereign immunity."); *Hayes v. Chaparral Energy, LLC*, No. 14-CV-495-GKF-PJC, 2016 U.S. Dist. LEXIS 37631, at *18 (N.D. Okla. Mar. 23, 2016) (same), *vacated as moot*, 699 F. App'x 799 (10th Cir. 2017); *Wyandotte Nation v. City of Kan. City*, 200 F. Supp. 2d 1279 (D. Kan. 2002) (granting State of Kansas' limited motion to intervene for purpose of filing motion to dismiss pursuant to FRCP 19). *See also SEC v. Ross*, 504 F.3d 1130, 1148-51 (9th Cir. 2007) (person/entity may intervene and appear as a party for limited purpose of contesting jurisdiction, venue, etc. and such intervention for a limited purpose does not constitute consent to the court's jurisdiction over the intervening party); *United Specialty Ins. Co. v. Jonak*, No. 3:17-cv-0330-AC, 2017 U.S. Dist. LEXIS 173259 (D. Or. Aug. 28, 2017) (intervention by state government in federal court proceedings may be limited to purpose of asserting itself as necessary party or otherwise challenging jurisdiction so long as it makes clear it is reserving sovereign immunity).

In this motion, expressly reserving their sovereign immunity, the Tribe seeks to intervene for the limited purpose of filing their attached Motion to Dismiss pursuant to FRCP 12(b)(7) and 19 for failure to join the Tribes (and other required Indian tribes). The Tribes' motion for limited intervention, while expressly reserving sovereign immunity and their FRCP 19 objections, should be granted.

B. The Tribe's Motion for Limited Intervention Is Timely.

Determining whether a motion to intervene is timely requires a "nuanced, pragmatic" evaluation that considers the state of the proceedings, the prejudice to other parties, and the reasons for and length of the delay. *League of United Latin Am. Citizens v. Wilson*, 131 F.3d 1297, 1302-03 (9th Cir. 1997). Here, the Court recently allowed supplementation of the complaint noting that the case was "still in its infancy." (Order Granting Motion to Dismiss and Granting Motion for Leave to Amend and Supplement Complaint at 23, ECF No. 41.)

The supplemental complaint (which added the claims against the hatcheries) was filed on February 22, 2023. (ECF No. 44.) Defendants filed a responsive pleading on March 8, 2023. (ECF No. 46.) No substantive action has been taken since the amended complaint was filed. In short, the case is in its early stages. Granting the Tribe's motion for limited intervention will not prejudice any existing parties or delay the resolution of the litigation. *Nw. Forest Res. Council v. Glickman*, 82 F.3d 825, 837 (9th Cir. 1996) (no prejudice where "the motion was filed before the district court . . . made any substantive rulings"); *Citizens for Balanced Use*, 647 F.3d at 897. Indeed, the sole purpose of the Tribe's limited intervention is to move to dismiss this litigation in its entirety for failure to join the Tribe, which is a required party.

C. The Tribe Has A Significant Protectable Interest in the Subject Matter of the Litigation.

An applicant has a "significant protectable interest" in an action if: (1) it asserts an interest that is protected under some law; and (2) there is a relationship between its legally protected interest and the plaintiff's claims. *Donnelly v. Glickman*, 159 F.3d 405, 409 (9th Cir. 1998); *United States v. City of L.A.*, 288 F.3d 391, 398 (9th Cir. 2002) (applicant for intervention has significant protectable interest if applicant asserts interest that is protected by law and there is relationship between interest and plaintiff's claims such that resolution of action will affect applicant). The relationship requirement is met "if the resolution of the plaintiff's claims actually will affect the applicant." *City of L.A.*, 288 F.3d at 398 (quoting *Donnelly*, 159 F.3d at 410). Both the "interest" and "relationship" requirements are satisfied when "injunctive relief sought by the plaintiffs will have direct, immediate, and harmful effects upon a third party's legally protectable

interests." *Berg*, 268 F.3d at 818 (citation omitted). Those standards are clearly met here, supporting the Tribe's intervention.

As explained above, the Tribe has federally reserved treaty fishing rights that are protected under federal law. *United States v. Washington*, 759 F.2d 1353. This case addresses Plaintiff's claims based on procedural requirements which, as interpreted by Plaintiffs, compete with and are mutually exclusive of the Tribe's fishing rights. If Plaintiff prevails, WDFW would be enjoined from releasing or allowing the release of any fish for years to come regardless of the need for protection of ESA-listed SRKWs or for fulfillment of the Tribe's treaty rights. Terminating hatchery production will have a drastic effect on harvest and management of the remaining fish stocks. There is a direct relationship between the Tribe's legally protected rights (its federally reserved fishing rights) and the Plaintiffs' claims (which seek to block production of the fish that are subject to the treaty). The Tribe has an interest in the litigation that supports its intervention.

D. If Plaintiffs Succeed in This Case, the Tribe's Interests Will as A Practical Matter Be Severely Impaired or Impeded.

The third element of the intervention test under FRCP 24(a)(2) requires the Tribe to show that disposition of the action may impair or impede its interests. *Citizens for Balanced Use*, 647 F.3d at 898. The applicant's burden on this element is minimal. "If an absentee would be substantially affected in a practical sense by the determination made in the action, he should, as a general rule be permitted to intervene . . . ." *Id.* (quoting FRCP 24 advisory committee note). Impairment need not be a certainty; rather, the proposed intervenor need only show that impairment of its legal interest is possible if intervention is denied. *City of L.A.*, 288 F.3d at 401; *Grutter v. Bollinger*, 188 F.3d 394, 399 (6th Cir. 1999) ("To satisfy this element of the intervention test, a would-be intervenor must show only that impairment of its substantial legal interest is possible if intervention is denied. This burden is minimal." (citation omitted)).

Here, the Tribe has a legally protected interest in hatchery-produced fish that would be impaired and impeded if Plaintiff obtains its requested relief. The relief sought by Plaintiff would be nothing less than devastating to the Tribe and its interests in the fish and water resources of

Puget Sound. (Chance Decl. ¶ 14(c).) The Tribe is entitled to intervene as of right. *Forest Conservation Council v. U.S. Forest Serv.*, 66 F.3d 1489 (9th Cir. 1995) (granting intervention of right where proposed intervenors' interests would, as a practical matter, be affected by injunction sought by plaintiffs in action); *Citizens for Balanced Use*, 647 F.3d at 898 (granting intervention of right where proposed injunction may, as a practical matter, impair proposed intervenors' interests).

E. No Party Adequately Represents the Tribe's Interests.

The final requirement for intervention as a matter of right is to show that the existing parties do not adequately represent the Tribe's interests. The burden of demonstrating inadequate representation is minimal and can be satisfied by a showing that the existing parties' representation "may be" inadequate. *Trbovich v. United Mine Workers of Am.*, 404 U.S. 528, 538 n.10 (1972); *Citizens for Balanced Use*, 647 F.3d at 898.

In evaluating adequacy of representation, the Ninth Circuit evaluates three factors: "(1) whether the interest of a present party is such that it will undoubtedly make all of a proposed intervenor's arguments; (2) whether the present party is capable and willing to make such arguments; and (3) whether a proposed intervenor would offer any necessary elements to the proceeding that other parties would neglect." *Citizens for Balanced Use*, 647 F.3d at 898 (quoting *Arakaki v. Cayetano*, 324 F.3d 1078, 1086 (9th Cir. 2003)). Doubts regarding adequacy of representation are resolved in favor of the proposed intervenor. 6 Moore's Federal Practice § 24.03[4][a] (2023).

Here, no party adequately represents the Tribe's interests. The Tribe is obviously not adequately represented by Plaintiffs, whose position directly conflicts with the Tribe's interests. Nor is the Tribe adequately represented by WDFW.

In the context of treaty fishing rights and *United States v. Washington*, No. 70-9213 (W.D. Wash.) WDFW is generally adverse to tribal interests. The State has an interest in regulating fish for the benefit of all its citizens. Indeed, WDFW has conflicts of interest due to competing responsibilities to Plaintiff and non-treaty fishing groups. Lummi, by contrast, has an interest in preserving and protecting its treaty right to take fish regardless of and independent from state

regulatory interests. The State's interest in protecting a non-treaty fish harvests diverges directly from Lummi's interest in fulfillment of its treaty-reserved fishing right for Lummi members. The State Defendants are not an adequate representative of Lummi's treaty interests in this litigation. *White v. Univ. of Cal.*, 765 F.3d 1010, 1027 (9th Cir. 2014) (state defendants not adequate representative of tribal interests); *Union Pac. R.R. Co. v. Runyon*, 320 F.R.D. 245, 252 (D. Or. 2017) (local governments not adequate representative of treaty tribes).

Because WDFW's interests in this litigation are not the same as Lummi's, they will not "undoubtedly" make all of Lummi's arguments or present all of Lummi's unique sovereign interests. The Tribe is directly interested in how this proceeding would affect, as a practical matter, its treaty fishing rights, which are central to its culture, subsistence, and very existence. WDFW has a different general interest in defending its decisions made pursuant to the Endangered Species Act and other laws. *See, e.g.*, *Friends of Amador Cnty. v. Salazar*, 554 F. App'x 562, 564 (9th Cir. 2014) (finding that United States' failure to move for dismissal indicated divergence between the Tribe's interests and those of the United States); *Murphy Co. v. Trump*, No. 1:17-cv-00285-CL, 2017 U.S. Dist. LEXIS 35959 (D. Or. Mar. 14, 2017) (granting intervention of right and finding United States' representation of putative intervenors' interests inadequate where, despite some congruence of interests, the federal defendants' broader interests impair their ability to adequately represent the narrower interests of intervenor); *Kickapoo Tribe of Okla. v. Lujan*, 728 F. Supp. 791, 797 (D.D.C. 1990) (while federal government had interest in defending agency action and authority, the Tribe "has an interest in its own survival, an interest which it is entitled to protect on its own").

The practical effect of the relief requested by Plaintiffs would significantly impair the Tribe's rights and would be devastating to the Tribe. Only the Tribe can adequately present and defend its interest in the fish and water resources affected here as well as its interest in sovereign immunity. *See DCAR*, 932 F.3d at 852 (affirming that United States was not adequate representative of tribal entity's interests and that the public rights exception did not apply). In similar circumstances, courts have frequently held that government defendants do not adequately represent the interests of private intervenors. *See, e.g.*, *Citizens for Balanced Use*, 647 F.3d at

898-901 (U.S. Forest Service not adequate representative of environmental advocacy organization's interests in an action by organizations that sought to reduce restrictions on vehicle use in national forest); *Forest Conservation Council*, 66 F.3d at 1498-99 (U.S. Forest Service not adequate representative of state and county interests in action regarding management of national forest); *Sierra Club v. U.S. EPA*, 995 F.2d 1478, 1481 (9th Cir. 1993) (EPA not adequate representative of municipal permit holder's interests in action against EPA challenging the permit holder's discharges).

Without the Tribe's presence, WDFW could also take litigation and settlement positions (based on general policies unrelated to the Tribe's interests) that fail to adequately reflect and protect the Tribe's specific interests. WDFW has previously failed meaningfully to consult with Lummi when settling litigation affecting Lummi's interest. And in the context of FRCP 19, conflicts of interest preclude a finding of adequate representation where, for example, federal agencies owe trust duties to multiple tribes with conflicting interests in the litigation. *Manybeads v. United States*, 209 F.3d 1164, 1166-67 (9th Cir. 2000); *Quileute Indian Tribe v. Babbitt*, 18 F.3d 1456, 1460 (9th Cir. 1994); *Confederated Tribes of the Chehalis Indian Rsrv. v. Lujan*, 928 F.2d 1496, 1500 (9th Cir. 1991); *Makah Indian Tribe v. Verity,* 910 F.2d 555, 560 (9th Cir. 1990); *see also* 6 Moore's Federal Practice § 24.03[4][a] (noting that representation by government is inadequate where interests of proposed intervenor and government may diverge in fact); *see DCAR*, 932 F.3d at 852 (United States not adequate representative of tribal interest where respective federal/tribal interests may diverge). The test for evaluating adequacy of representation for purposes of intervention under FRCP 24(a)(2) parallels that in the FRCP 19 context. *See Shermoen v. United States*, 982 F.2d 1312, 1318 (9th Cir. 1992). For that reason as well, the WDFW cannot be an adequate representative of the Tribe's interests.

IV. CONCLUSION

For the foregoing reasons, the Tribe requests that the Court grant its motion to intervene pursuant to FRCP 24(a)(2) for the limited purpose of filing a motion to dismiss pursuant to FRCP 12(b)(7) and 19.

Respectfully submitted this 27th day of April 2023.

LUMMI INDIAN BUSINESS COUNCIL

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I certify that this memorandum contains 3,948 words, in compliance with the Local Civil Rules.

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of April, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all parties which are registered with the CM/ECF system.

By: */s/ Gabriel Cantu*
Gabriel Cantu